

NATIONAL PATENT APPLICATION

IN THE UNITED STATES PATENT OFFICE

Examiner:

Janice Lee Krizek

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Applicants:

Phillip G. Spaniol, Steven J. Spaniol, and Kevin D. Kaschke

Intl. Appl. No.:

PCT/US98/18376

Intl. Filing Date:

23 October 1998

Docket No.:

FT0002R

Nat'l. Appln. No.:

09/830,005

Group Art Unit: 3652

Farm Technology, L.L.C.

Nat'l. Filing Date:

21 April 2001

Entitled:

Agricultural Bale Accumulator And Method Therefor

RECEIVED

3105 King Alford Ct. St. Charles, IL 60174

Kevin D. Kaschke

SEP 0 2 2004

August 26, 2004

GROUP 3600

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. 1.97(b)(3)

1. **Prosecution Status**

After receiving the Office action dated May 28, 2003, but before the mailing date of any of a final action under § 1.113, a notice of allowance under § 1.311, or an action that otherwise closes prosecution in the application, and it is accompanied by the statement specified in paragraph 37 C.F.R. 1.97 (e)(1), for the above identified patent application, the Applicant hereby submits the present information disclosure statement (IDS) under 37 C.F.R. 1.97(b)(3).

2. **Statements**

- The Applicant submits herewith information that may be material to the examination of the present patent application, for which there may be a duty to disclose.
- b. The filing of the present IDS shall not be construed as a representation that a search has been made (37 C.F.R. 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability as defined in Section 1.56(b) (37 C.F.R. 1.97(h)), or that no other material information exists.

- c. The filing of the present IDS shall not be construed as an admission against interest in any manner.
- d. Each item of information contained in this information disclosure statement was first cited in a communication from a foreign patent office (EPO search report dated July 14, 2004) in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement.
- e. An Annex to the EP Search Report showing corresponding patent family members is included herewith for the Examiner's convenience. Note that US Patent No. 5,752,374 (Allworden, et al.), cited in the EP report has already been cited in the present application.

3. Form PTO-1449

Pursuant to 37 CFR 1.98(a)(1), Form PTO-1449 listing the information is attached herewith.

4. Copies of Listed Information Accompanying This Information Disclosure Statement

Pursuant to 37 CFR 1.98(a)(2), legible copies of all items listed in Form PTO-1449 are attached herewith.

5. Fee

No fee is required for the submission of the present IDS.

6. Identification of Person Making This Information Disclosure Statement

The person submitting this statement is an applicant and an inventor who signs below based on the information known to him as of the date signed below, which information is associated with the filing and prosecution of the present patent application.

7. Return Communications

Any inquiry related to this response should be communicated to Kevin D. Kaschke as noted herein.

Respectfully submitted, Phillip G. Spaniol, et al.

Ang 24,2004 y: <u>Kein A Karchhe</u> Kevin D. Kaschke

Applicant/Inventor/Attorney

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PTO/SB/08A (10-96)
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Substitute for form 1449A/PTO AUG 3 0 2004				Complete if Known		
	Ţ	AUG		Application Number	09/830,005	
INFO	ORMATION E	NS.	CLOSURE	Filing Date	21 April 2001	
STA	TEMENT BY	ΥÄ	PLICANT	First Named Inventor	Phillip G. Spaniol, et al.	
				Group Art Unit	3652	
	(use as many sheets	s as n	ecessary)	Examiner Name	Janice Lee Krizek	
Sheet	1	of	1	Attorney Docket Number	FT0002R	

U.S. PATENT DOCUMENTS							
Examiner Initials*	Cite No.1	U.S. Patent Docume	Kind Code ² (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant	
		5,712,782		Weigelt, et al.	January 27, 1998	Figures Appear Entire patent, & col. 2, lines 39-55, Col. 4, lines 22-62, col. 5, line 53-56	
		4,924,405		Strosser, et al.	May 8, 1990	Entire patent, & col. 4, line 44 – col. 6, line 3.	
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			FORE	IGN PATENT DOCUMENTS			
Cite No.1	Foreign Patent Document				Date of Publication of	Pages, Columns, Lines,	
	Office ³	Kind Code ⁵ Number ⁴ (<i>if known</i>)		Name of Patentee or Applicant of Cited Document	Cited Document MM-DD-YYYY	Where Relevant Passages or Relevant Figures Appear	T ⁶
	FR	2 741 236	A	Claas	05-23-1997	P 2, line 1- P 3, line 23. P5,line 11 – P7, line 10	
	EP	0 814 397	A	Claas	12-29-1997	Col. 1, line 1-col. 2, line 49. Col. 4, line 31 – col. 5, line 28.	٨
	EP	0 845 198	A	Claas	06-03-1998	Col. 3, line 4 – 21. Col. 9, line 9 – 30.	
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		Cite No.1 Office ³ FR EP	Cite No.1 Office ³ Number ⁴ FR 2 741 236 EP 0 814 397 EP 0 845 198	Foreign Patent Document Cite No. Office Number Kind Code (if known)	Cite No.1 Office3 Number4 Kind Code5 (if known) Name of Patentee or Applicant of Cited Document FR 2 741 236 A Claas EP 0 814 397 A Claas EP 0 845 198 A Claas GB 810 775 Bamfords LTD	Foreign Patent Document Cite No. Office Number Kind Code (if known) Name of Patentee or Applicant of Cited Document MM-DD-YYYY	Foreign Patent Document